

IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

Inventor(s): Tony F. Rodriguez	<u>CERTIFICATE OF MAILING</u>
Mailed by Express Mail November 20, 2001	I hereby certify that this paper and the documents referred to as being attached or enclosed herewith are being deposited with the United States Postal Service on November 26, 2001 as First Class Mail in an envelope addressed to: ASSISTANT COMMISSIONER FOR PATENTS, WASHINGTON, D.C. 20231.
For: WATERMARK COMMUNICATION AND CONTROL SYSTEMS	William Y. Conwell Attorney for Applicant

BOX FILING DATE

Assistant Commissioner for Patents
2900 Crystal Drive
Arlington, VA 22202-3513



TRANSMITTAL LETTER
AND
REQUEST FOR NOVEMBER 20, 2001, FILING DATE

Please grant the filing date of November 20, 2001 due to the following evidence:

The enclosed patent application (with Express Mail Label No. EL818265929US) was deposited by Sheryl Guerette and accepted by Gloria on November 20, 2001, at 4:44 p.m., with the United States Post Service (USPS) at Tualatin, Oregon (zip code 97062). The Express Mail slip was filled out and the package was accepted by the USPS clerk (Gloria).

On November 21, 2001, the package was returned to the offices of Digimarc Corporation with the enclosed notification.

The patent application is enclosed with all documents contained in the unopened envelope. The documents are all signed and dated November 20, 2001. Additionally enclosed is a photocopy of the front of the Express Mail envelope with the filled-out Express Mail slip. Also enclosed is a copy of receipt and Express Mail slip returned to Ms. Guerette by Gloria.

Applicant feels the above evidence is more than sufficient for the granting of the filing date, as applicant followed all prescribed procedures for the submission of patent applications by Express Mail.

I hereby declare that all statements made herein of my own knowledge are true and that all statements made on information and belief are believed to be true; and further that these statements were made with the knowledge that willful false statements and the like so made are punishable by fine or imprisonment, or both, under Section 1001 of Title 18 of the United States Code and that such willful false statements may jeopardize the validity of the application or any patent issued thereon.

Date: November 26, 2001



23735

Phone: 503-885-9699
FAX 503-885-9880

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OFFICE OF PETITIONS
DEPUTY A/C PATENTS

Respectfully submitted,
DIGIMARC CORPORATION

William Y. Conwell
Registration No. 31,943

PATRICK R. DONAHOE
CHIEF OPERATING OFFICER
AND EXECUTIVE VICE PRESIDENT



November 16, 2001

TO USP& MGR
Ralatin

**VICE PRESIDENTS, AREA OPERATIONS
MANAGER, CAPITAL METRO OPERATIONS**

SUBJECT: Temporary Suspension of Express Mail Service to Washington, D.C. ZIP Codes 202 through 205



Due to current operating conditions and government security measures, Express Mail products destined for federal government agencies in Washington, D.C. (ZIP Codes 202 through 205), are experiencing significant delays. Therefore, effective immediately Express Mail service to Washington, D.C., ZIP Codes 202 through 205, is temporarily suspended. The sales of this services is to be discontinued at all retail locations, including Contract Postal Units (CPUs). Customers should be advised either to use First-Class Mail for mail destined for these ZIP Codes or wait to send items until this temporary suspension is lifted.

Business customers will be advised of this suspension through the Business Service Network. You will be advised when this suspension is lifted. If you have questions or need additional information, please contact Henry Pankey at (202) 268-5394.


Patrick R. Donahoe
cc: Ms. Bizzotto

cc: Ms. Bizzotto

cc: Ms. Bizzotto

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Semper

Vice President Western Area Rockwell		
Nov 16 '01		
	Action	Date
VP		
OPS SUP		
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SR PM/ODS		
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REC:		
CORP REL		
SR DIV		

Application Data Sheet (Multiple Inventors with Representation, Continuity and Priority)
Digimarc Corporation**Inventor Information**

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Name Suffix::
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Application Information

Title Line One:: WATERMARK COMMUNICATION AND CONTROL SYSTEMS
Total Drawing Sheets:: 0
Application Type:: Utility
Docket Number:: P0490

Representative Information

23735

PATENT TRADEMARK OFFICE

Representative Customer Number:: 23735

Continuity Information

This application is a :: Non-Provisional or Provisional
> Application One:: 60/252,939
Filing Date:: November 22, 2000
Patent No::

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OFFICE OF PETITIONS
DEPUTY A/C PATENTS

**UNITED STATES POSTAL SERVICE INTERRUPTIONS RELATING TO
EXPRESS MAIL SERVICE**

Where the USPS refuses to accept the deposit of mail for delivery by express mail.

In some cases, due to the recent emergency, certain post offices are refusing to accept the deposit of mail for delivery by Express Mail service. The USPTO is also designating this interruption in the Express Mail service of the USPS as a postal service interruption within the meaning of 35 U.S.C. 21(a) and 37 CFR 1.6(e). In addition, if a party attempts to deposit correspondence for delivery to the USPTO with the USPS by Express Mail under 37 CFR 1.10 ("Express Mail Post Office to Addressee") and the USPS refuses to accept such correspondence, the party is advised to take the following action: mail the correspondence to the USPTO by registered or first class mail with a statement by the person who originally attempted to deposit the correspondence with the USPS by Express Mail. The statement must indicate the date on which the person attempted to deposit the correspondence with the USPS and that the USPS refused to accept the correspondence. The statement must be signed in accordance with 37 CFR 10.18. The correspondence should be mailed as set out in 37 CFR 1.1(a) and include the special box designation: BOX FILING DATE.

Where mail is put into an Express Mail "Drop Box" and given an incorrect "date in".

In some cases a person may use an Express Mail "drop box" without realizing that the local post office is not accepting Express Mail. In that situation, the provisions of 37 CFR 1.10(d) may apply. Usually 37 CFR 1.10(d) is invoked where correspondence is placed in an Express Mail "drop box" prior to the last pick up that is scheduled for the drop box for that day, but the USPS enters an incorrect "date-in" on the Express Mail mailing label, usually the next day's date. To invoke 37 CFR 1.10(d), however, a petition must be corroborated either by evidence from the USPS or by evidence that came into being after deposit and within one business day of the deposit of the correspondence in the Express Mail drop box (e.g., a copy of a log book indicating that the correspondence was deposited on the date in question). See MPEP 513 and TMEP 702.02(e).

Alternative Procedure Invoking "Extraordinary Circumstances"

If a party can demonstrate that due to extraordinary circumstances the above procedures could not be followed, it will be necessary to file a petition under 37 CFR 1.183 (patent matter) or 2.146(a)(5) and 2.148 (trademark matter) to waive the requirements of 37 CFR 1.10 to permit the USPTO to accord the correspondence a filing date as of the date that Express Mail deposit was attempted. Such a petition must be accompanied by a statement by the person who originally attempted to deposit the correspondence with the USPS by Express Mail, stating the date that the deposit was attempted and that the USPS refused to accept the correspondence, and be signed by such person subject to the conditions prescribed in 37 CFR 10.18.